REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	14 April 1999
Name of applicant/court:	The District Court at Waitakere
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Mum16baq.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Stated
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Stated
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Mum16baq.jpg	Running time:
Trailers:		Running time:
		Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *Mum16baq.jpg* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The publication is a colour photographic image. It depicts sexual activity between two women, with one woman leaning over the other, and inserting her hand into her vagina. The full bodies of the females are depicted, both appear to be comfortable and enjoying the activity.

The main consideration in determining the publication's classification is its treatment of matters of sex, including the extent and degree to which this treatment degrades and dehumanises the female participants. The main focus of the image (the genital region of the female being penetrated) in conjunction with the reasonably intense nature of the activity itself is such that the female could be considered to be degraded and dehumanised, by being presented as a spectacle. However, this degrading and dehumanising effect is considerably diminished by the fact that the female is depicted in a full body shot, rather than just as sexual parts to be penetrated, and that her facial expression indicates comfort with and enjoyment of the activity.

The relevant criteria of the New Zealand Bill of Rights Act 1990 has been considered. Given the sexually explicit nature of the depictions, the level of restriction placed on the publication is considered to be reasonable and able to be demonstrably justified. The availability of such material to younger audiences is considered likely to be injurious to the public good.

OFLC Ref: 9900148